IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10717 of 2005

Between:

1 All India Merly Minority Educational Society, Registered No.558/87, GS Colony, Jedcherla, Mahabubnagar District, rep., by its Secretary, P.David, s/o Abhishalom, aged about 30 years, R/o Jedcherla, Mahabubnagar District.

2 Jephnya Deepak Trust, (Regd.) Vivekananda Colony, Kadapa, Kadapa district, rep., by its President David, s/o Abhishalom, aged about 35 years, r/o Vivekananda Colony, Kadapa, Kadapa District.

..... PETITIONERS

AND

1 The Secretary, Indian Nursing Counsil, Temple Lane, Kotla Road, New Delhi.
2 The Government of Andhra Pradesh, rep., by its Principal Secretary, Medical and Health Department, Secretariat, Hyderabad.
3 The Director of Medical Education, Government of A.P. Sultan Bazar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in not issuing Government Order to establish Nursing Schools/Colleges to the petitioners societies at Jedcharla, Mahabubnagar District and Kadapa is illegal, arbitrary, and violation of the principles of natural justice and consequently direct the respondents to consider the representation of the petitioner dated 25-1-2005 for starting Nursing Schools/Colleges at Jedcharla, Mahabubnagar District and Kadapa.

Counsel for the Petitioners: MR.VADDIPAMULETY

Counsel for the Respondent No.1: Mr. P. Rakesh, Central Government Counsel

Counsel for the Respondent Nos.2 and 3:GP FOR MEDICAL HEALTH & FAMI.WELFARE

This Court at the admission stage made the following:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.10717 of 2005

O R D E R:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not issuing the Government Order to establish Nursing Schools/Colleges to the petitioners-Societies at Jedcharla, Mahabubnagar District and Kadapa as arbitrary and illegal and consequently to direct the respondents to consider the representation dated 25-01-2005.

The petitioners-societies, in pursuance of the notification issued by the Secretary, Indian Nursing Council, approached the third respondent complying with all the requirements. In pursuance thereof, the third respondent inspected the petitioners-Societies and recommended the case of the petitioners to the second respondent. The only grievance of the petitioners is that the respondents have failed to take any further steps on the basis of the said recommendation and no orders have been passed so far. The petitioners have made representation dated 25-01-2005 requesting the respondents to take further steps based on the recommendation made by the third respondent, however, the respondents have not responded. Hence, this writ petition.

Heard both the learned counsel.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the case of the petitioners has been recommended by the third respondent, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation dated 25-01-2005 submitted by the petitioners and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioners.

The writ petition is accordingly disposed of .No costs.

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(**G. ROHINI, J**)

Date:29-04-2005

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To

1 The Secretary, Indian Nursing Counsil, Temple Lane, Kotla Road, New Delhi.
2 The Principal Secretary, The Govt. of A.P., Medical and Health, Secretariat, Hyderabad.
3 The Director of Medical Education, Sultan Bazar, Koti, Hyderabad.

4 Two CCs to the Government Pleader for Medical Health and Family Welfare, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.